

§ 802.20

records and order the production to the complainant, and it may assess attorney fees and costs.

(b) Where it is determined that the action was willful or intentional with respect to 5 U.S.C. 552(g)(1) (c) or (d), the United States shall be liable for the actual damages sustained, but in no case less than the sum of \$1,000 and the costs of the action with attorney fees.

(c) Criminal penalties may be imposed against an officer or employee of the NTSB who fully discloses material which he knows is prohibited from disclosure, or who willfully maintains a system of records without meeting the notice requirements, or who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses. These offenses shall be misdemeanors with a fine not to exceed \$5,000.

Subpart H—Specific Exemptions

§ 802.20 Security records.

Pursuant to, and limited by, 5 U.S.C. 552a(k)(5), the NTSB's system of records, which contains the Security Records of NTSB employees, prospective employees, and potential contractors, shall be exempt from disclosure of the material and the NTSB's handling thereof under subsections (d), (e)(1) and (e)(4) (H) and (I) of 5 U.S.C. 552a.

PART 803—OFFICIAL SEAL

Sec.

803.1 Description.

803.3 Authority to affix Seal.

803.5 Use of the Seal.

AUTHORITY: Sec. 303(c)(2), Independent Safety Board Act of 1974, Pub. L. 93-633, 88 Stat. 2168 (49 U.S.C. 1902(c)(2)).

§ 803.1 Description.

The official seal of the National Transportation Safety Board is described as follows: An American bald eagle with wings displayed, holding in his dexter (right) talon an olive branch and in his sinister (left) talon, a bundle of 13 arrows; above his head is a scroll inscribed "E Pluribus Unum," bearing a shield with vertical stripes of alternating white and red, crowned by a field of blue, all within an encircling inscription "National Transportation

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Safety Board." When illustrated in color, the background is white. The wings, the body, and the upper portion of the legs of the eagle are shades of brown; the head, neck, and tail are white; the beak, feet, and lower portion of the legs are gold. The inscription on the scroll is black. The encircling inscription is the same shade of gold as the eagle's beak. The arrows and the olive branch are a lighter shade of gold. The red and blue of the shield are national flag red and blue. The official seal of the Board, in black and white, appears below:



[43 FR 36454, Aug. 17, 1978]

§ 803.3 Authority to affix Seal.

(a) The Seal shall be in the custody and control of the Director, Bureau of Administration of the Board.

(b) The Director, Bureau of Administration may delegate and authorize re-delegations of this authority.

[40 FR 30238, July 17, 1975, as amended at 41 FR 39758, Sept. 16, 1976]

§ 803.5 Use of the Seal.

(a) The Seal is the official emblem of the Board and its use is therefore permitted only as provided in this part.

(b) Use by any person or organization outside of the Board may be made only with the Board's prior written approval.

(c) Requests by any person or organization outside of the Board for permission to use the Seal must be made in writing to Director, Bureau of Administration, National Transportation